IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

C.R.No.1089 of 2002

Date of Decision : 21.11.2007.

Jogesh Kumar .....Petitioner

versus

Manmohan Singh and another .....Respondents

CORAM : HON'BLE MR.JUSTICE HEMANT GUPTA

Present : Mr.Vishal Gupta, Advocate for the petitioner.
Mr.Puneet Jindal, Advocate for the respondents.

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JUDGMENT

HEMANT GUPTA, J. (Oral)

The petitioner is in revision aggrieved against the order passed by the learned First Appellate Court dated 22.1.2002 whereby an application filed by the plaintiff-petitioner under Order 39 Rules 1 & 2 read with Section 151 C.P.C. seeking ad-interim injunction restraining the defendants from alienating the suit property, was dismissed.

The plaintiff-petitioner filed a suit for possession by way of specific performance of the agreement to sell dated 23.7.1999. Alongwith the suit, the plaintiff filed an application restraining the defendants from alienating the suit property. The learned trial Court passed an order directing the parties to maintain status quo regarding alienation of the suit property. But the learned First Appellate accepted the appeal of the defendants and dismissed the application for ad-interim injunction filed by the plaintiff while setting aside the order passed by the learned trial Court.

Learned counsel for the petitioner states that the Civil Suit for specific performance of the agreement was filed in the year 1999, but the

matter is still pending for the evidence of the plaintiff. Therefore, he prayed that the learned trial Court be directed to decide the suit expeditiously.

In view the fact that the plaintiff had filed the suit for specific performance of the agreement in the year 1999 i.e. more than 8 years ago, I deem it appropriate to direct the learned trial Court to decide the suit expeditiously so that the suit be finally decided by the end of December, 2008. The learned trial Court shall grant two more opportunities to the plaintiff so as to conclude the entire evidence within period of 4 months from the date fixed before the learned trial Court. Thereafter, learned trial Court shall grant two opportunities to the defendant-respondents to lead their entire evidence. The learned counsel for the parties have undertaken to cooperate with the learned Trial Court for the decision of the suit in this manner.

The present revision petition stands disposed of accordingly.

21-11-2007 **(HEMANT GUPTA)**
*mohinder **JUDGE**